

COPY OF SCHEME for the management of THE VISCOUNT LIMERICK'S
ENDOWMENT, DUNDALK, provisionally approved by the LORD LIEUTENANT
in COUNCIL. Presented to the HOUSE OF COMMONS, in pursuance of the
Educational Endowments (Ireland) Act, 1885.

Privy Council Office,
Dublin Castle,
27th June, 1895.

}

J. B. DOUGHERTY,
Clerk of the Council.

(Presented in Pursuance of Act.)

Ordered by THE HOUSE OF COMMONS, to be printed,
2nd July, 1895.

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EDUCATIONAL ENDOWMENTS (IRELAND) ACT.

No. 143.—CO. LOUTH—THE VISCOUNT LIMBICK'S ENDOWMENT, DUNDALK.

TO HIS EXCELLENCY THE LORD LIEUTENANT-GENERAL AND GENERAL
GOVERNOR OF IRELAND.

MY LORD,

I would most humbly beg that the Scheme for the above-mentioned
Endowment as *provisionally approved* of may be laid before Parliament.

I am, &c.,

G. W. JOHNSON,

Head Master.

EDUCATIONAL ENDOWMENTS (IRELAND) ACT, 1885.

*No. 143.**County of Louth.**Date of Provisional Approval—19th April, 1895.*

PROVISIONAL APPROVAL BY ORDER IN COUNCIL.

The Viscount Limerick's Endowment, Dundalk.

By the Lord Lieutenant and Privy Council in Ireland.

HOUGHTON.

Whereas the Right Honorable Gerald FitzGibbon and the Right Honorable William O'Brien, the Judicial Commissioners constituted under the Educational Endowments (Ireland) Act, 1885, have, in virtue of the powers conferred upon them by the said Act and the Acts continuing the same, and of every other power enabling them in that behalf, framed and signed under their hands a Scheme relating to the Viscount Limerick's Endowment, Dundalk, which Scheme is annexed to this Order :

And whereas the time limited by the said Acts for exercising the powers of making and approving this Scheme has been duly extended, upon special cause shown, with reference to the above-mentioned Endowment, by Orders of the Lord Lieutenant in Council, dated, respectively, March 30, 1893, December 23, 1893, July 26, 1894, and December 31, 1894, in pursuance of the 38th section of the first-mentioned Act :

And whereas all the conditions in regard to the said Scheme, which are required to be fulfilled by the said Acts to enable the said Scheme to be provisionally approved, have been fulfilled :

Now therefore, We, the Lord Lieutenant-General and General Governor of Ireland, by and with the advice and consent of Her Majesty's Privy Council in Ireland, do by this Order, pursuant to the 24th and 38th sections of the first-mentioned Act, declare provisionally our approbation of the aforesaid Scheme, and the same is hereby provisionally approved.

Given at the Council Chamber, Dublin Castle, this
19th day of April, 1895.

S. WALKER, C.
MORRIS.
MACDERMOT, A.-G.

[SCHEME.

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SCHEME REFERRED TO IN THE FOREGOING ORDER.

No. 143.

County of **LOUTH.****EDUCATIONAL ENDOWMENTS (IRELAND) COMMISSION.**

SCHEME framed under the Educational Endowments (Ireland)
Act, 1885, for the future government and management of
The Viscount Limerick's Endowment. Dundalk.

Whereas by Indenture dated August 5, 1725, between James, Lord Viscount Limerick, and the Bailiff Burgesses and Commonalty of the Borough of Dundalk, the said James, Lord Viscount Limerick, in consideration of the release to him and his heirs and assigns for ever, by the said Bailiff Burgesses and Commonalty, by an Indenture of even date, of all their right, title, and interest in certain Bogs and Common Lands in or near Dundalk, granted a perpetual annuity or yearly rentcharge of Fifty Pounds late Irish currency, equivalent to £46 3s. 1d. present currency, payable out of the estates of the said James, Viscount Limerick, for ever, for the encouragement and support of one or more Schoolmasters to teach the English and Latin tongues within the borough of Dundalk or the liberties thereof for ever :

And whereas the said James, Lord Viscount Limerick, soon afterwards erected a Free School in the town of Dundalk, and by Indenture dated August 19, 1728, Thomas Fortescue, of Reynoldstown, in the County of Louth, devised to the said James, Lord Viscount Limerick, his executors, administrators, and assigns, for a term of 999 years, subject to the yearly rent of sixpence, late Irish currency, the plot of ground in the town of Dundalk described in the First Schedule hereto, Part I., upon which the Free School then stood, which had been then lately erected by the said Lord Viscount Limerick :

And whereas the said School has ever since been maintained as a Grammar School upon the said premises, and is now known as "The Dundalk Endowed School," and the garden and plot of ground described in the Schedule hereto, Part II., have for one hundred years and upwards been held and occupied with the said School, free of any further or other rent, as part of the premises held under the hereinbefore recited Indenture dated August 19, 1728, and now belong to the said School, and the said rentcharge of £50, late Irish currency, has been at all times and still is regularly paid to the Master of the said School :

And whereas the Earl of Roden is now possessed of the estates of the said James, Lord Viscount Limerick, charged with the said perpetual annuity or yearly rentcharge of £50, late Irish currency :

And whereas the Endowments of the said School now consist of the buildings garden and premises described in the First Schedule hereto, now in the possession of George William Johnson, A.M., as Master of the said School ; together with the said rentcharge of £50, late Irish currency, which is described in the Second Schedule hereto :

And whereas the said Dundalk Endowed School for several years past has been attended by a very small number of pupils, and there have lately been no pupils attending the same, and the buildings belonging to the said School have become dilapidated, and there are no funds available to repair or maintain the same, and other Schools have been established and are now in operation in the town of Dundalk, in which the Latin and English tongues are taught, and it is not now possible or expedient to maintain the Dundalk Endowed School:

And whereas the School premises aforesaid, and the said rentcharge, now constitute Educational Endowments within the meaning of the Educational Endowments (Ireland) Act, 1885, and the said Act applies to the same:

And whereas it has appeared to the Commissioners under the said Act, after due inquiry, that, in order to extend the usefulness of the said Endowments, provision should be made for the future government and management of the said Endowments, and for the application of the same to the promotion of Intermediate Education in the town of Dundalk and its neighbourhood, in manner hereinafter appearing:

Therefore, from and after the date of this Scheme, being the day upon which the Lord Lieutenant shall by Order in Council declare his approbation hereof, the said Endowments shall be held, governed, managed, and applied for the purposes, with the powers, under the conditions and provisions, and in the manner hereinafter set forth, and not otherwise, any previous Act of Parliament, Letters Patent, Statute, Charter, Scheme, Will, Deed, Instrument, Trust, or Direction, relating to the subject-matter of this Scheme, to the contrary notwithstanding.

Preliminary.

1. For the purposes of this Scheme, unless the context otherwise requires, the following terms shall be interpreted as follows:—

Interpretation of Terms.

"The Act" shall mean the Educational Endowments (Ireland) Act, 1885.

"The Commissioners" shall mean "The Commissioners of Education in Ireland" incorporated under the Act, 53 George III., cap. 107, and reconstituted and continued under Scheme No. 34, framed in pursuance of the Act.

"The School" shall mean the School heretofore carried on upon the premises described in the First Schedule hereto, known as "The Dundalk Endowed School."

"The Endowments" shall mean and include the lands, buildings, tenements, hereditaments, rentcharge, and moneys described in the Schedules hereto, and shall also include the purchase money or rents and profits which may be produced by the sale or letting of the premises described in the First Schedule hereto.

"The Dundalk District" shall mean and include an area extending two statute miles in every direction from the Courthouse in the town of Dundalk, and any building partly situated within the area aforesaid shall be included in the Dundalk District.

"Intermediate Education" shall mean education in such subjects as shall from time to time be included in the programme of Examinations held by the Intermediate Education Board for Ireland.

"Intermediate School" shall mean and include any School which is for the

time being recognised by the Intermediate Education Board as a School entitled to receive Results Fees from the said Board, for the pupils attending the same, who pass the Examinations held by the said Board.

"Elementary Education" shall mean such education as may be given in the schools which are aided by grants from the Commissioners of National Education, herein called National Schools.

Vesting of Endowments.

Vesting of
Endowments.

2. From and after the date of this Scheme, the Endowments, and the right to the possession and receipt thereof, and all powers, rights, and remedies for recovery thereof, shall, without any new conveyance or instrument, be transferred to and vested in the Commissioners, and shall be thenceforth taken and held by the Commissioners and their successors for ever, upon and for the trusts and purposes of this Scheme, subject to the conditions and provisions herein contained, and to all such rents, charges, rights, tenancies, easements, and liabilities, as at the date of this Scheme may lawfully affect the same. From and after the date of this Scheme, the Endowments, and all the income and produce thereof, due or accruing, and all the property, securities, goods, chattels, and money held by any person or persons for or applicable to the purposes of this Scheme, shall be delivered, transferred, and paid, by the person or persons possessed thereof or bound to pay the same, to the Commissioners, and the receipt of the Commissioners for any delivery, transfer, or payment hereby directed, shall be a good discharge for the person or persons making the same, and he or they shall not thenceforth be answerable for the application thereof.

Disposal of the School Premises.

Disposal of the
School Premises.

3. As soon as conveniently may be, and not later than six calendar months, after the date of this Scheme, the School shall be discontinued, and upon the expiration of six calendar months from the date of this Scheme, or at any earlier date at which the Master of the School may agree with the Commissioners to vacate the premises, the services of the Master shall be discontinued, the School shall be closed, and the Commissioners shall take up the possession of the School premises described in the First Schedule hereto.

The Commissioners shall thereupon, with all convenient speed, offer for sale or letting, together or in lots, by public auction or by private contract, and shall proceed to sell or let to the best advantage all their estate and interest in the lands, buildings and premises belonging to the School, described in the First Schedule hereto; provided that the Commissioners, before offering the said premises for public sale or letting, shall in the first instance offer the same to the Earl of Roden, and to the Town Commissioners of Dundalk, either for letting at a rent, or for sale, and may let or sell the same to the Earl of Roden, or to the said Town Commissioners, by private contract, on such terms and at such rent or price as may be agreed upon, being in the opinion of the Commissioners the fair and adequate value thereof, for the residue of the term for which the same are held.

Upon the completion of the sale or letting, the Commissioners shall convey or demise the said buildings and premises to the purchaser or purchasers, or lessee or lessees, thereof, and, after deducting all necessary charges and expenses, and making due provision for the vested interest of the Master as hereinafter provided, the Commissioners shall hold and apply the purchase money, or the rents, profits, and produce of the said School premises, upon the trusts and for the purposes hereinafter declared.

Trusts of the Endowments.

4. From and after the date of this Scheme, and subject to the conditions and provisions herein contained, the Endowments shall be held by the Commissioners upon trust to promote and encourage Intermediate Education, and instruction in the English and Latin tongues, in the Dundalk District, in accordance with the provisions hereinafter contained.

Trusts of the Endowments.

Application of the Endowments.

5. All moneys received by the Commissioners from the sale of any part of the Endowments, or otherwise representing the capital thereof, shall and may be invested by the Commissioners in securities authorised for the investment of the capital of any other Endowments vested in them. The interest dividends and annual produce of all such investments, and all annual rents and profits of the Endowments, and the rentcharge described in the Second Schedule hereto, and all other income derived from the Endowments, after payment of all necessary charges and expenses, shall be applied by the Commissioners in manner following; that is to say:—

Application of the Endowments.

1. As soon as conveniently may be after the publication of the Results of each Annual Examination held by the Intermediate Education Board, the Commissioners shall ascertain the number of male pupils who shall have passed the said Examination in any Grade, and in respect of whom Results Fees for passing both in English and in Latin shall be payable by the Intermediate Education Board, to the Managers of Intermediate Schools in the Dundalk District in which such pupils shall have received instruction for the said Examination in the subjects aforesaid.

2. Before the thirty-first day of December next following each of the Examinations aforesaid, the Commissioners shall ascertain and declare the net amount derived from the income of the Endowments, which they shall decide to be then available for distribution, and shall pay and distribute the same to and among the Managers of the several Schools aforesaid, for the maintenance and benefit of the said Schools, in equal proportion, *per capita*, to the number of pupils of the said Schools passing the said Examination, and in respect of whom Results Fees for English and Latin shall be payable as aforesaid.

3. The Commissioners shall keep a separate account of the Endowments, and shall and may have and exercise the same powers of control and management in respect thereof which they may, for the time being, have and exercise in respect of the other Endowments vested in them. The Commissioners shall, in each year, cause sufficient notice to be given, by advertisement or otherwise, to enable the Managers of Intermediate Schools in the Dundalk District to claim the benefit of the Endowments, and they may prescribe the time and mode in which such claims shall be made and verified, and may do all other acts and things which they may deem just and necessary, to secure the due application of the Endowments in accordance with the provisions of this Scheme.

6. If, in any year, any part of the income of the Endowments shall have been reserved by the Commissioners, or shall remain over, after provision shall have been made for the payments hereinbefore authorized, such part may either be invested and added to the capital of the Endowments, or may be carried forward, and dealt with as part of the income to be distributed in the following year. If any question shall arise as to the amount or amounts to be distributed or payable as aforesaid, or as to the qualification of any School, or of any pupil, or as to the division or distribution of the income aforesaid, the decision of the Commissioners on every such question shall be final.

Powers of Commissioners.

Vested Interest.

Vested Interest.

7. At the expiration of six calendar months from the date of this Scheme, or at any earlier date at which he may agree to vacate the School premises, the office and employment of George William Johnson, A.M. if then still in office as Master of the Dundalk Endowed School, shall cease, and, upon giving up clear possession of the School premises to the Commissioners, he shall thenceforth be entitled during his life to receive, as compensation for his vested interest in the Endowments hereby transferred to the Commissioners, a retiring annuity of Thirty Pounds sterling, payable half yearly. This retiring annuity shall commence upon the date at which his office and employment shall cease, and the clear possession of the School premises shall have been given up by him to the Commissioners.

The Commissioners, either alone or in conjunction with any other persons who may raise any funds for the purpose, may agree with the said George William Johnson for the commutation and release of the retiring annuity payable to him, or any part thereof, on reasonable terms, and the Commissioners, if they think fit, may raise or advance, out of any other funds in their hands, at interest, upon the security of the Endowments, upon such terms as they may think reasonable, a capital sum to be paid to the said George William Johnson, in satisfaction and discharge of all his claims in respect of the said retiring annuity.

Printing of Scheme.

Printing of Scheme.

8. The Commissioners shall cause this Scheme to be printed, or shall procure printed copies thereof, and shall keep the same for sale at a reasonable price.

Alteration of Scheme.

Alteration of Scheme.

9. This Scheme may be altered, from time to time, by the Commissioners of Charitable Donations and Bequests in any matter whatsoever, upon the application of the Commissioners, but except upon such application no alteration shall be so made, and no alteration shall be made contrary to anything contained in the Act.

SCHEDULE REFERRED TO IN THE FOREGOING SCHEME.

FIRST SCHEDULE.

The Site and Buildings of the Dundalk Endowed School.

Part I.—The piece of ground containing one rood and twenty-three perches, statute measure or thereabouts, with the buildings and out-offices of the Dundalk Endowed School now standing thereon, and all fixtures and other property belonging to the School, held for a term of 999 years, subject to the yearly rent of Sixpence, late Irish currency, under an Indenture dated August 19, 1728, between Thomas Fortescue, of Reynoldstown, in the County of Louth, and James, Lord Viscount Limerick.

Part II.—The garden adjoining the above-mentioned premises, containing three roods and twenty-five perches or thereabouts, heretofore used and occupied by the Master of the Dundalk Endowed School for the purposes of the School, and held by him, as part of the School premises, free of any further or other rent than the rent reserved by the above-mentioned Indenture dated August 19, 1728.

SECOND SCHEDULE.

The Rentcharge.

1. The rentcharge of £46 3s. 1d., present currency, created by Indenture dated August 5, 1725, between James, Lord Viscount Limerick, and the Corporation of Dndalk, and now payable by the Earl of Roden as successor in estate of the said James, Lord Viscount Limerick.

2. All moneys due and accruing on account of the said rentcharge, from and after the date at which the office of the Master of the School shall cease as provided by the foregoing Scheme.

We, the Judicial Commissioners constituted under the Educational Endowments (Ireland) Act, 1880, having duly considered the foregoing Scheme, hereby submit the same for the approval of the Lord Lieutenant in Council under the said Act, duly signed by both of us under our hands, this Twentieth day of August, 1894.

GERALD FITZGIBBON,	}	<i>Judicial Commissioners.</i>
WILLIAM O'BRIEN,		

Witness :

N. D. MURPHY,

Secretary.

THE EDUCATIONAL ENDOWMENTS (IRELAND) ACT, 1895.

PROVISIONAL ORDERS IN COUNCIL.

(48 & 49 Vict., cap. 78.)

SCHEMES FOR:—

- No. 125.—Counties of Meath and Longford—The Chariton Charity.
 No. 131.—County Kildare—The Kilmogue School and the Perceval Endowment.
 No. 143.—County Louth—The Viscount Limerick's Endowment, Dundalk.

NOTICE.

Notice is hereby given, that the Lord Lieutenant in Council, by Orders dated the 19th day of April, 1895, provisionally approved, pursuant to the 24th Section of the said Act, of the above-mentioned Schemes, respectively.

Any one of the said Schemes may be finally approved, unless within two months after the first publication of this Notice a Petition is presented to the Lord Lieutenant in Council praying that the same may be laid before Parliament, as provided by the 24th Section of the above-cited Act.

The first publication of this Notice is the 22nd day of April, 1895.

W. S. B. KAYE.

PRIVY COUNCIL OFFICE, DUBLIN CASTLE,
 20th April, 1895.

MEMO.

The Objection in this matter came before a Committee of the Privy Council on the 26th March, 1895, and the objector having been heard in person and Counsel in support of the Scheme, the Lord Chancellor announced that the Committee would recommend the Lord Lieutenant in Council to provisionally approve of the Scheme.

Privy Council Office,

Dublin Castle.

EDUCATIONAL ENDOWMENTS (IRELAND) COMMISSION.

SCHEME No. 143.—COUNTY OF LOUTH. THE VISCOUNT LIMERICK'S ENDOWMENT, DUNDALK.

OBJECTION lodged with the Clerk of the Privy Council against the above Scheme, and
OBSERVATIONS OF THE JUDICIAL COMMISSIONERS thereon.

OBJECTION of G. W. JOHNSON, Master of the Grammar School, Dundalk.

SCHEME No. 143.—VISCOUNT LIMERICK'S ENDOWMENT, DUNDALK.

SIR.—As no steps have been taken to carry out the suggestion made at the last meeting here of the Educational Endowments (Ireland) Commission, I beg to submit my objections to the proposed Scheme.

When I accepted the appointment of Master of the Grammar School, I received possession of the School premises as a tenant for life, along with the endowments attached thereto. The compensation proposed for me and my family under the said Scheme is therefore, I most respectfully submit, by no means commensurate with the value of the emoluments. I may mention that the premises have been valued at £1,500 by the Township Surveyor.

The statement in the Scheme that "there have lately been no pupils attending the same" is explained by its being due to an outbreak of Scouritis. At present the number of pupils is increasing, and I have very little doubt that it will continue to do so.

I remain, your obedient Servant,
G. W. JOHNSON.

Grammar School, Dundalk, County Louth.
19. 10. 94.

OBSERVATIONS OF THE JUDICIAL COMMISSIONERS.

The Judicial Commissioners, at the request of the Clerk of the Privy Council, respectfully submit the following Observations upon the foregoing Objection, for the consideration of the Lord Lieutenant in Council:—

The Commissioners held a preliminary Inquiry at Dundalk, on October 22, 1886, at which they received the evidence of Mr. George William Johnson, Master of the Dundalk Grammar School.

Report 1886-87, pp. 219, 221.

The Endowment of the Grammar School consists of buildings and a piece of ground containing 1 rood and 23 perches, statute measure, held for a term of 999 years at the nominal rent of sixpence, Irish currency, under an Indenture dated August 19, 1729, with a garden adjoining, which contains 3 roods and 23 perches, and which has been held as part of the School premises for very many years; with a perpetual rentcharge of fifty pounds, Irish currency, created by an Indenture dated August 5, 1725.

The Trust of the Endowment is "for the encouragement and support of one or more Schoolmasters to teach the English and Latin tongues within the Borough of Dundalk or the Liberties thereof for ever."

It appeared from the evidence of Mr. Johnson that he was appointed in July, 1879, to be Master of the School by a verbal agreement with Mr. William Roden, the then agent of the Earl of Roden, the present owner of the Estates upon which the Endowment is charged. At the time of his appointment, Mr. Johnson was put into possession, as well of the present School premises, as also of a field of 2 acres for which he was to pay £10 per annum, and "he understood that all rates, taxes, repairs, &c., were to be paid by the Earl of Roden," and that "he was to hold the field as long as he held the Mastership." Very little was done to maintain the buildings. They got out of repair and in 1885 Mr. Johnson was evicted from the field upon notice to quit, after litigation in which he had unsuccessfully endeavoured to establish a more permanent title.

The largest number of pupils he had in the School at any time was twenty-nine, and the number had fallen in 1886 to two boarders and eleven day boys.

Mr. Johnson suggested that the School ought to be under a Board of some kind that would take an interest in it, and he also thought that the Endowment was too small. His position appeared to be that he was in possession of premises for which he could not prove any title, that he was in receipt of the Annual Rent Charge of £50 Irish, that he had no written evidence of the tenure of his office, and that he managed the School as best he could. There were and still are in Dundalk a large and successful School for Boarders and Day Pupils, maintained by the Incorporated Society for Promoting Protestant Schools in Ireland, and large and successful Intermediate and Elementary Schools under Roman Catholic management. The Commissioners were satisfied that the Grammar

School could not be successfully maintained in competition with these other Schools, but they delayed the publication of any Draft Scheme until they could obtain further evidence which was not forthcoming at the Preliminary Inquiry.

The Commissioners held a Further Inquiry at Dundalk on October 23, 1881.

Report 1881-82, pp. 90-93.

This Inquiry was attended by Mr. Stronge, who had become the agent of the Earl of Roden in December, 1880. Mr. George William Johnson was again examined, and at that time the Commissioners found that the School premises had gone further into disrepair, and that the number of pupils had become further reduced. Mr. Johnson stated, and the Commissioners were satisfied, that there was not room for two Schools of that character in Dundalk, and that unless there was money to lay out on the Grammar School buildings they would go to ruin. The Commissioners concluded that it would be advisable to discontinue the Grammar School, and to realise the value of the premises, which are situated in the town, and to apply the Endowment for the encouragement of Grammar School Education in the other Schools in the place, in which English and Latin were taught.

The Draft Scheme, prepared with a view to carry out these objects, was published on March 31, 1882. Objections were received from certain Protestant inhabitants, from the Very Reverend Patrick Segrave, the Roman Catholic Administrator of Dundalk; from the Christian Brothers, who have Schools in the Town, and from Mr. Johnson.

The Commissioners held a Final Inquiry at Dundalk for the consideration of these Objections.

Final Report, October 26, 1883, pp. 175-181.

This Inquiry was attended by representatives of the Protestant and Roman Catholic inhabitants, by the Dundalk Free Library Committee, and by representatives of the Town Commissioners. Mr. Johnson was examined, and he stated that the number of pupils had gradually fallen to three, all of whom were boarders, and that for the last three months before the inquiry there had been none. It was "about a year and a half or two years" since he had had any pupil from Dundalk, and he stated that "the school was rising in 1883; there was an outbreak of scarlatina, that was one cause that led to the decline of pupils."

The Commissioners visited the School buildings and found them in a state of progressive decay. The garden was cultivated for profit and subsistence by Mr. Johnson, who resided with his family in the Schoolhouse, but there appeared to be no reasonable prospect of rendering the School or the Endowment, as a separate Institution, of any substantial educational benefit to the inhabitants of Dundalk. Communications had taken place between the Earl of Roden, the Town Commissioners, and the Dundalk Free Library Committee with the object of utilising the School premises for public purposes, but no terms had been agreed upon. At the request of some of the Protestant inhabitants, the completion of the Scheme was delayed to enable them to decide whether an effort should be made to maintain the Grammar School, but the Commissioners afterwards received a communication from them that this had been found impracticable, and the Scheme was completed and signed by the Judicial Commissioners, on August 29, 1884, providing for the discontinuance of the School, and of Mr. Johnson's office as Master, at the expiration of six calendar months from the date of the final approval of the Scheme, or at any earlier date at which he might agree to vacate the School premises. All parties concerned, except Mr. Johnson, have concurred in thinking it necessary to close the School, to realise the Endowment, and to apply the proceeds in aid of Intermediate Education in the other Intermediate Schools of Dundalk.

Under the foregoing circumstances, it became the duty of the Commissioners, under the Educational Endowments (Ireland) Act, 1883, Sec. 11, either to "save" or to "make due compensation" for the vested interest of Mr. Johnson, as Master of the discontinued Grammar School. The Commissioners did not feel justified in treating him as entitled to retain the possession of the School buildings and land, and to continue to receive the rentcharge, when there was no prospect of his being able to fulfil the objects of the Endowment. They therefore did not "save" his vested interest. In fixing the amount of compensation they had regard to the circumstance on the one hand that he had a free residence, but on the other that he had not sufficient means to maintain the buildings. There was no sufficient evidence that his office was a freehold, or that he was appointed by any competent authority. No capital sum was immediately available for payment to him as a grant upon retirement, and, after full consideration, the Commissioners provided by the Scheme, Sec. 7, that, within six months after it came into force, his office and employment should cease, and he should give up the clear possession of the School premises, and should thereupon be entitled during his life to receive, as compensation for his vested interest, a retiring annuity of £30, payable half yearly. Provision was made to vest the Endowments in the "Commissioners of Education in Ireland," and to enable them, either alone or in conjunction with any other persons who might raise any funds for the purpose, to agree with Mr. Johnson for the commutation and release of his life annuity upon reasonable terms.

Having regard to the circumstances of the School and of the Endowments, to the value and tenure of Mr. Johnson's office, and to his complete release from duty, the Commissioners submit that the compensation awarded by the Scheme is as large as they were justified in making it.

By Order of the Judicial Commissioners,

N. D. MURPHY, Secretary.

Office of the Commission, 23 Nassau Street, Dublin,

February 12, 1895.